

EXHIBIT

11

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

15 U.S.C. Section 1 (Conspiracy in Restraint of Trade)

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See attachment

E-filing

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

SAMSUNG SDI COMPANY, LTD.

DISTRICT COURT NUMBER

CR 11 0162**DEFENDANT****CRB****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda L. Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Lidia Maher, Antitrust Division

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

PENALTY SHEET

Company: SAMSUNG SDI COMPANY, LTD.

Offense Charged: 15 U.S.C. Section 1 (Conspiracy in Restraint of Trade)

Maximum Penalties:

1. A fine in an amount equal to the largest of:
 - A. \$100 million.
 - B. Twice the gross pecuniary gain derived from the crime.
 - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of probation of at least one year but not more than five years.
3. \$400 special assessment.
4. Restitution.

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E-filing

FILED
2011 MAR 18 A 10:00
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Attorneys for the United States

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

SAMSUNG SDI COMPANY, LTD.,

Defendant.

Case No. CR

INFORMATION

VIOLATION:
Title 15, United States Code,
Section 1 (Conspiracy in
Restraint of Trade)

San Francisco Venue

CRB

The United States of America, acting through its attorneys, charges:

I.

DESCRIPTION OF THE OFFENSE

1. SAMSUNG SDI COMPANY, LTD. ("defendant") is made the defendant on the charge stated below.

2. From at least as early as January 1997, until at least as late as March 2006, the defendant and its coconspirators entered into and engaged in a combination and conspiracy in the United States and elsewhere to suppress and eliminate competition by fixing prices, reducing output, and allocating market shares of color display tubes ("CDTs"). The combination and conspiracy engaged in by the defendant and its coconspirators was in unreasonable restraint of

INFORMATION - SAMSUNG SDI - PAGE 1

1 interstate and foreign trade and commerce in violation of Section 1 of the Sherman Act (15
2 U.S.C. § 1).

3 3. The charged combination and conspiracy consisted of a continuing agreement,
4 understanding, and concert of action among the defendant and its coconspirators, the substantial
5 terms of which were to agree to fix prices, reduce output, and allocate market shares of CDTs.

6 4. For the purpose of forming and carrying out the charged combination and
7 conspiracy, the defendant and its coconspirators did those things that they combined and
8 conspired to do, including, among other things:

- 9 (a) participating in meetings, conversations, and communications in Taiwan,
10 Korea, Malaysia, China, and elsewhere to discuss the prices, output, and
11 market shares of CDTs;
12 (b) agreeing, during those meetings, conversations, and communications, to
13 charge prices of CDTs at certain target levels or ranges;
14 (c) agreeing, during those meetings, conversations, and communications, to
15 reduce output of CDTs by shutting down CDT production lines for certain
16 periods of time;
17 (d) agreeing, during those meetings, conversations, and communications, to
18 allocate target market shares for the CDT market overall and for certain
19 CDT customers;
20 (e) issuing price quotations and reducing output in accordance with the
21 agreements reached; and
22 (f) exchanging information on sales, production, market share, and pricing of
23 CDTs, for the purpose of monitoring and enforcing adherence to the
24 agreed-upon prices, output reduction, and market share allocation.

25 II.

26 DEFENDANT AND COCONSPIRATORS

27 5. SAMSUNG SDI COMPANY, LTD. is a corporation organized and existing under
28 the laws of the Republic of Korea. During the period covered by this Information, SAMSUNG

SDI COMPANY, LTD. engaged in the business of producing and selling CDTs to customers in the United States and elsewhere.

6. Various corporations and individuals, not made defendants in this Information, participated as coconspirators in the offense charged in this Information and performed acts and made statements in furtherance of it.

7. Whenever in this Information reference is made to any act, deed, or transaction of any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, employees, agents, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

III.

TRADE AND COMMERCE

8. CDTs are a type of cathode ray tube. Cathode ray tubes consist of evacuated glass envelopes that contain an electron gun and a phosphorescent screen. When electrons strike the screen, light is emitted, creating an image on the screen. CDTs are the specialized cathode ray tubes manufactured for use in computer monitors and other products with similar technological requirements.

9. During the period covered by this Information, the defendant and its coconspirators sold and distributed CDTs in a continuous and uninterrupted flow of interstate and foreign trade and commerce to customers located in states or countries other than the states or countries in which the defendant and its coconspirators produced CDTs.

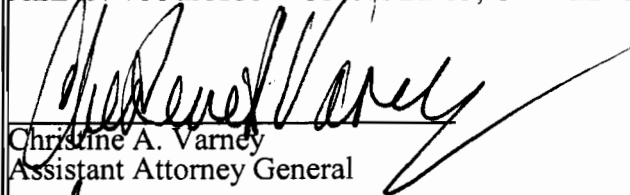
10. The business activities of the defendant and its coconspirators that are the subject of this Information were within the flow of, and substantially affected, interstate and foreign trade and commerce.

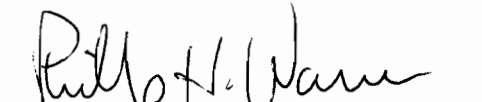
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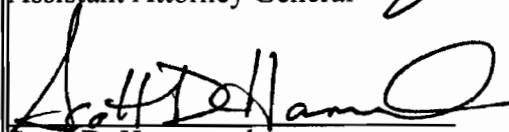
JURISDICTION AND VENUE

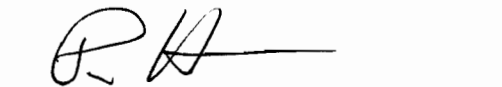
11. The combination and conspiracy charged in this Information was carried out, in part, in the Northern District of California, within the five years preceding the filing of this Information.

1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

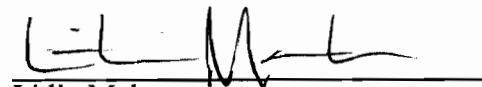
2 
3 Christine A. Varney
4 Assistant Attorney General

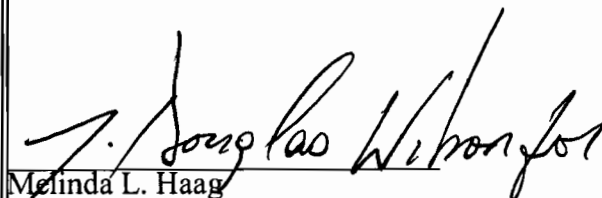

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15 Melinda L. Haag
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